IN THE HIGH COURT OF UTTARANCHAL, AT NAINITAL

Defective Special Appeal No. 2 of 2004

1. State of Uttaranchal
through Secretary, Public Works Department,
Govt. of Uttaranchal, Dehradun

2. Chief Engineer Level-1,
Public Works Department, Uttaranchal, Dehradun

3. Executive Engineer
Construction Division,
Public Works Department, Barkot,
District Uttarkashi

4. Superintending Engineer, 13th Circle
Public Works Department, Uttarkashi …Appellants

Versus

Upendra Singh S/o Sri Jai Veer Singh
R/o Village and Post Kantari, Tehsil-Purola
District-Uttarkashi … Respondent

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri J.P. Joshi, Additional Chief Standing Counsel for the appellants.

Sri. P.C. Jhingan, Advocate for the respondent.

2. Sri Joshi, the learned counsel for the appellants seeks permission to withdraw the Special Appeal as the same has now become infructuous on account of the dismissal of the writ petition itself as withdrawn and consequential vacation of the interim order dated 30.06.2003/25.07.2003.

3. Permission granted.

4. The Special Appeal, therefore, is dismissed as withdrawn.

5. With the above order, CLMA No. 4116 of 2006 also stands disposed of.

(J.C.S. Rawat, J.) **(Rajeev Gupta, C.J.)**
24.08.2006 24.08.2006

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